

United States District Court
Western District of Texas
Waco Division

Sherman Lamont Fields,
Movant,

v.

United States of America,
Respondent.

No. W-01-CR-164(1)-ADA
No. 20-CV-527-ADA

Judgment

Before the Court is Movant Sherman Lamont Fields's Successive Motion for Collateral Relief (ECF No. 401), in which he moves under 28 U.S.C. § 2255 to vacate his counts of conviction under 18 U.S.C. § 924(c)—Counts Three, Five, and Seven. The Court dismissed in part and granted in part the motion. Accordingly, as all issues in the civil cause have been resolved, the Court renders the following Final Judgment pursuant to Federal Rule of Civil Procedure 58.

It is therefore ORDERED that Movant Sherman Lamont Fields's Successive Motion for Collateral Relief (ECF No. 401) is DISMISSED IN PART and GRANTED IN PART as follows: The portion of the Motion addressing Count Five is DISMISSED. The portion of the Motion addressing Counts Three and Seven is GRANTED and Fields's convictions and sentences on Counts Three and Seven are VACATED. To the extent the motion addressing Count Five is dismissed a certificate of appealability is DENIED. The above styled and numbered civil cause is hereby CLOSED.

Signed: January 19, 2021


ALAN D. ALBRIGHT
UNITED STATES DISTRICT JUDGE